
**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In Re:)
)
)
BRIAN STEVENS) NO. 15 B 05527
) CHAPTER 13
Debtor)
)
) Honorable Judge Jack B. Schmetterer
)

NOTICE OF HEARING

TO: Tom Vaughn, Chapter 13 Trustee (electronically via ECF)
Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101 (via US Mail)
Internal Revenue Service, Mail Stop CH1 230 S. Dearborn, Chicago, IL 60604 (via U.S. Mail)
Attorney General of the United States Tax Division (DOJ), PO Box 55 Ben Franklin Station,
Washington, DC 20530 (via U.S. Mail)
Civil Process Clerk, Office of the United States Attorney for the Northern District of Illinois, 219
S. Dearborn, 5th Floor, Chicago, IL 60604 (via U.S. Mail)
Internal Revenue Service, Attn: Roberto Hernandez, 230 S. Dearborn, Room 2600, M/S
5014CHI, Chicago, Illinois 60604 (via U.S. Mail)

PLEASE TAKE NOTICE that on February 10, 2016 at 11:00 a.m., the undersigned will appear before the Honorable Judge Jack B. Schmetterer at the Everett McKinley Dirksen United States Courthouse, located at 219 South Dearborn Street, Courtroom 682, Chicago, Illinois and will then and there present the attached **DEBTOR'S OBJECTION TO CLAIM 1-1, CLAIM 4-1 AND CLAIM 5-1 OF THE INTERNAL REVENUE SERVICE AND REQUEST FOR SHORTENED NOTICE**, at which time you may appear if you so choose.

Certificate of Service

I, Charles L. Magerski, hereby certify that I caused a copy of this notice to be served, electronically via ECF to Tom Vaughn (Chapter 13 Trustee), and via U.S. Mail to the Internal Revenue Service at the locations listed above, and attached Objection upon the above parties on January 15, 2016 before the hour of 5:00 p.m. from the office located at 900 Jorie Blvd., Ste 150, Oak Brook, IL 60523.

BY: /S/ CHARLES L. MAGERSKI
SULAIMAN LAW GROUP, LTD.
COUNSEL FOR DEBTOR(S)
900 JORIE BOULEVARD, SUITE 150
OAK BROOK, IL 60523
PHONE: (630) 575-8181
FAX: (630) 575-8188
ATTORNEY NO: 6297092

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

In Re:)
BRIAN STEVENS) NO. 15 B 05527
Debtor) CHAPTER 13
) HON. JACK B. SCHMETTERER
)

DEBTOR'S OBJECTION TO CLAIM 1-1, CLAIM 4-1 AND CLAIM 5-1 OF THE INTERNAL REVENUE SERVICE AND REQUEST FOR SHORTENED NOTICE

NOW COMES, Brian Stevens (“Debtor”), by and through his attorneys, Sulaiman Law Group, Ltd, and pursuant to Federal Bankruptcy Procedure Rule 3007, Objecting to Claim 1-1, Claim 4-1 and Claim 5-1 filed by the Internal Revenue Service (“IRS”), and in support thereof stating as follows:

1. The Debtor filed for relief under Chapter 13 of the U.S. Bankruptcy Code on February 18, 2015.
2. The 341 Meeting of Creditors was held and concluded on March 16, 2015.
3. Confirmation is currently set for February 10, 2016was continued to July 24, 2015.
4. On or about February 25, 2015, the IRS filed a proof of claim in the amount of \$1,500.00.

See attached Exhibit A is a true and accurate copy of the Proof of Claim (“Claim 1-1”) filed by the IRS.

5. However, Debtor believes his tax liability to the IRS is much less than the amount claimed in Claim 1-1.

6. Specifically, Claim 1-1 alleges that the Debtor owes the IRS \$1,500.00 for the 2012, 2013 and 2014 tax year for not filed returns.

7. On or about May 19, 2015, the IRS filed a proof of claim in the amount of \$1,713.00.

See attached Exhibit B is a true and accurate copy of the Proof of Claim ("Claim 4-1) filed by the IRS.

8. However, Debtor contends this is a duplicate claim.

9. Specifically, Claim 4-1 re-alleges the same tax years provided for in Claim 1-1.

10. On or about May 27, 2015, the IRS filed a proof of claim in the amount of \$1,716.17.

See attached Exhibit C is a true and accurate copy of the Proof of Claim ("Claim 5-1) filed by the IRS.

11. However, Debtor contends this is a duplicate claim.

12. Specifically, Claim 5-1 re-alleges the same tax years provided for in Claim 1-1.

13. The Debtor was not required to file a tax return for the tax years 2012 and 2013 due to lack of income. *See attached Exhibit D a true and accurate copy of the Debtor's Affidavit regarding tax returns.*

14. The Debtor was required to file for the 2014 tax year and his tax liability for 2014 is \$713.00. *See attached Exhibit E a true and accurate copy of the Debtor's filed 2014 tax return..*

15. Debtor contends that Claim 1-1, Claim 4-1 and Claim 5-1 are not accurate as the Debtor was not required to file a tax return for the 2012 and 2013 tax years and his liability for the 2014 tax year is \$713.00. *See attached Exhibit D and E.*

16. Consequently, Debtor's tax liability to the IRS should be reduced to \$713.00.

17. The Debtor further request that this Honorable Court excuse the shortened notice.

WHEREFORE, the Debtor prays this Honorable Court for the following relief:

- A. Sustaining Debtor's Objection to Claim 1-1, Claim 4-1 and Claim 5-1;
- B. Reducing Claim 1-1 to \$713.00;
- C. Denying Claim 4-1 and Claim 5-1; and
- D. For any and all other relief this Court deems fair and proper.

Dated: January 15, 2016

Respectfully Submitted,
/s/ Charles L. Magerski
Charles L. Magerski #6297092
Attorney for Debtor
Sulaiman Law Group, Ltd.
900 Jorie Blvd, Ste 150
Oak Brook, IL 60523
Phone: (630) 575-8181